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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/604,391

07/17/2003

Shu-Ya Chiang

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06/15/2006

BERKELEY LAW & TECHNOLOGY GROUP

1700NW 167TH PLACE

SUITE 240

BEAVERTON, OR 97006

EXAMINER

KOHNER, MATTHEW J

ART UNIT

PAPER NUMBER

3653

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/604,391	Applicant(s) CHIANG, SHU-YA	
	Examiner Matthew J. Kohner	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 6, 9-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,025,068 to Collins (*hereinafter* “Collins”).

Collins discloses a transmission mechanism, comprising:

at least a belt (11), wherein the belt is capable of tightening around the one or more drive rollers (13, 14), and wherein the one or more drive rollers are capable of driving the belt;
an idle roller (12);

an elastic member (20), wherein the elastic member is capable of causing the idle roller to exert a force on the belt to maintain tightness in the belt during feeding of the documents (as the roller penetrates into the belt the belt is tightened; col. 3, lines 30 et seq.); and

wherein the idle roller and belt are located so as to receive the document via a feed-in path and to transmit the document via a feed-out path and wherein the idle roller and belt are located so as to receive the document between the idle roller and the belt (see Fig. 1).

In regard to claim 6, Collins discloses a spring 20.

In regard to claim 9, Collins discloses axles 23 and 24.

In regard to claim 10, Collins discloses a shaft 50.

In regard to claims 11 and 13, see Fig. 1.

In regard to claim 12, Collins discloses a sheet feeder (see Title).

In regard to claim 14, see col. 2, lines 30 et seq.

In regard to claim 16, see Fig. 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins in view of Japanese Patent No. 63092542 to Ota (hereinafter "Ota").

In regard to claim 2-3, Collins does not disclose three drive rollers nor a triangular formation for the drive rollers. However, this appears to be merely a matter of design choice and modifying Collins to have three drive rollers instead of two or having a triangular formation, as taught by Ota, would have been obvious to one of ordinary skill in the art.

Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins in view of US Patent No. 4,085,929 to Tuchiya et al. (*hereinafter* "Tuchiya").

In regard to claim 4, Collins does not disclose two or more belts. However, this appears to be merely a matter of design choice and modifying Collins to have two or more belts instead

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of one, as taught by Tuchiya (see Fig. 1, #31), would have been obvious to one of ordinary skill in the art.

In regard to claim 5, Collins does not specifically disclose a motor. However, it is inherent that the rollers 13 and 14 are driven by a drive source, since Collins discloses the belt feeds the sheets. Therefore, even if not specifically disclosed by Collins, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Collins to have a motor as a drive source as taught by Tuchiya (see #47).

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins in view of US Patent No. 5,324,019 to Chang et al. (*hereinafter* "Chang").

In regard to claim 7, Collins discloses the transmission mechanism is in a sheet-handling device which inherently has a body. Collins does not disclose the elastic member is manufactured together with the body by injection molding. However, injection molding is well known in the art. Chang discloses components of the sheet handler made via injection molding (col. 3, line 40) and modifying Collins to so the elastic member is manufactured by injection molding with the body, as taught by Chang, would have been obvious to one of ordinary skill in the art. Further, it is well known that injection molding uses plastics.

Claim 15 and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Collins in view of US Patent No. 6,309,064 to Tanno et al. (*hereinafter* "Tanno").

In regard to claims 15 and 17, Collins does not specifically disclose trays located outside the body. However, having feed-in and feed-out rollers inside the body and trays outside the

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body is well known in the art. Tanno discloses feed-in (12) and feed-out (44) rollers inside the body and trays (11 and 44) outside the body (see Fig. 2) and modifying Collins to include feed-in and feed-out rollers inside the body and trays outside the body, as taught by Tanno, would have been obvious to one of ordinary skill in the art.

In regard to claims 18 and 19, see Tanno Fig. 2.

Response to Amendment

Applicant's amended drawing overcomes the drawing objection. In view of Applicant's amendment the previous rejection is overcome. However, amended claim language is rejected (see above).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Kohner whose telephone number is 571-272-6939. The examiner can normally be reached on Mon-Fri 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene Crawford can be reached on 571-272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew J. Kohner
Examiner
Art Unit 3653

mjk


GENE O. CRAWFORD
SUPERVISORY PATENT EXAMINER